



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: )  
 ) Before the Examiner  
Charles L. Branch et al. ) Not yet known  
 )  
Serial No. 10/698,702 ) Group Art Unit  
 ) Not yet known  
Filed October 31, 2003 )  
 )  
INTERBODY FUSION GRAFTS )  
AND INSTRUMENTATION )

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure in accordance with 37 CFR §1.56, Applicant wishes to bring to the attention of the Examiner the patents, publications, and/or other information listed on the attached PTO Form 1449 (modified).

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b).

This Statement is being submitted after the filing of the application but before receipt of a first action on the merits. It is believed that no fee is required for consideration of the submitted items. Should any fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.	
<u>April 19 2004</u>	(Date of Deposit)
James B. Myers, Jr.	
Name of Registered Representative	
<u>James B. Myers Jr.</u>	Signature
<u>April 19 2004</u>	Date of Signature

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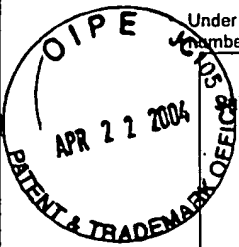
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				Application Number	10/698,702
				Filing Date	October 31, 2003
				First Named Inventor	Branch
				Group Art Unit	
				Examiner Name	
Sheet	1	of	4	Attorney Docket No.	4002-3442

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (If known)			
		3,486,505	05-1967	Morrison	
		3,848,601	11-1974	Ma	
		4,309,488	01-1982	Heide et al.	
		4,545,374	10-1985	Jacobson	
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		5,282,861	02-1994	Kaplan	
		5,306,302	04-1994	Bauer et al.	
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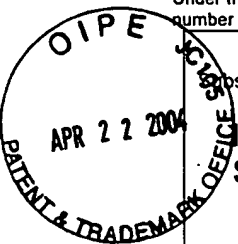
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		5,306,303	04-1994	Lynch	
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		5,329,846	07-1994	Bonutti	
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		5,810,819	09-1998	Errico et al.	
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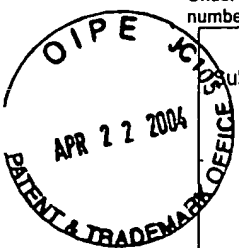
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		Country Code <sup>2</sup> -Number <sup>4</sup> -Kind Code <sup>3</sup> (if known)				
		EP 0 077 159 A	04-1983			
		GB 2 207 607 A	02-1989			
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		WO 96/22747	08-1996			
		WO 96/40013	12-1996			
		WO 97/13378	04-1997			

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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		WO 97/15248	05-1997			
		WO 97/25945	07-1997			
		WO 98/17209	04-1998			
		WO 98/17330	04-1998			
		WO 01/70144	09-2001			

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher city and/or country where published	T <sup>2</sup>
		AcroMed Spine Tools, <i>PLIG Instruments</i> (undated)	
		AcroMed, <i>Brantigan I/F Cage</i> , (undated)	
		Albee, Fred H. MD, <i>Bone Graft Surgery in Disease, Injury and Deformity</i> , published by D. Appleton-Century Company (1940)	
		AcroMed, <i>Brantigan I/F Cage</i> <sup>TM</sup> for PLIF (1991)	
		Sofamor Danek, <i>Laparoscopic Bone Dowel Surgical Technique</i> , Memphis, Tennessee (1995)	
		<i>Musculoskeletal Transplant Foundation Brochure</i> , (Apr. 1996)	
		Sofamor Danek, <i>Surgical Technique Using Bone Dowel Instrumentation for Posterior Approach</i> , LIT.PLIF.ST96 (1996)	
		Sofamor Danek, <i>Surgical Tips Posterior Approach</i> (1998)	
		University of Florida Tissue Bank, Inc. <i>Allograft Catalog</i> (1998)	
		Vaughan, John J. MD, <i>New and Innovative Fusion Techniques</i> , The Kentucky Spines Inst. (Dec. 1998)	

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